

**NOTICE OF INTENT TO ADOPT A PROPOSED  
AMENDMENT TO THE GEORGIA STATE BOARD OF ACCOUNTANCY  
RULE 20-12-.16, "Forms of Practice."  
AND NOTICE OF PUBLIC HEARING**

**TO ALL INTERESTED PARTIES:**

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Accountancy (hereinafter "Board") proposes an amendment to the Georgia State Board of Accountancy Rules, Rule 20-12-16, "Forms of Practice," (herein after "proposed rule amendment"). The Board voted to post this notice of adoption at a meeting on February 25<sup>th</sup>, 2008. The proposed rule amendment defines the legal entities that may practice public accounting. This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-2440.

**A public hearing will be held at 10:00 a.m. May 11<sup>th</sup>, 2009 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217** to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on May 5<sup>th</sup>, 2009. Written comments should be addressed to Randall D. Vaughn, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Accountancy, 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-2440 or fax (866) 888-9718.

**The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 9:35 a.m. on May 11<sup>th</sup>, 2009** at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Accountancy has the authority to adopt a proposed rule amendment to Rule 20-12-.16 pursuant to authority contained in O.C.G.A. §§ 43-3-2, 43-3-5, 43-3-21, 43-3-29 and O.C.G.A. § 43-1-19.

At its meeting on February 25<sup>th</sup>, 2009 the Georgia State Board of Accountancy voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-3-2, 43-3-5, 43-3-21, 43-3-29 and O.C.G.A. § 43-1-19.

Additionally, at the meeting, the Board voted that it was legal and feasible to meet the objectives of O.C.G.A. §§ 43-3-2, 43-3-5, 43-3-21, 43-3-29 and O.C.G.A. § 43-1-19. to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field or Accountancy.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This 6<sup>th</sup> day of April, 2009.

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Randall D. Vaughn  
Division Director  
Professional Licensing Boards Division

Posted: April 6, 2009

**SYNOPSIS OF PROPOSED REVISIONS TO THE  
GEORGIA STATE BOARD OF ACCOUNTANCY  
RULES**

**RULE 20-12-.16, "Form of Practice."**

**PURPOSE:** The purpose of this rule is to establish the form in which accountants may practice.

**MAIN FEATURES:** This amendment deletes the prohibition of unlicensed and foreign accountants forming accountancy firms.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED  
AMENDMENTS TO THE GEORGIA STATE BOARD OF ACCOUNTANCY  
RULE 20-12-.16, "Forms of Practice."**

**20-12-.16 Forms of Practice.**

A licensee may practice public accountancy only in a partnership, an association, a corporation, or any legal entity which practices public accountancy.

~~(a) A certified public accountant or foreign accountant shall not form a partnership for the purpose of practicing public accounting with persons who are not certified public accountants or foreign accountants~~ may practice public accountancy in any legal entity in which a simple majority of the financial interests and voting rights are owned by certified public accountants in good standing in this state or any other state.

Authority O.C.G.A. Secs. 43-3-2, 43-3-5, 43-3-21, 43-3-29, and 43-1-19